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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,171	10/15/1999	ANTERO LUNDELL	324-008940-U	9865

2512 7590 02/26/2004

PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER	
GESESSE, TILAHUN	
ART UNIT	PAPER NUMBER
2684	

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/419,171	LUNDELL ET AL.	
	Examiner	Art Unit	
	Tilahun B Gesesse	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/303 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela et al "Korpela" (6,510146).

Regarding claim 1, Korpela discloses a method for performing cell re-selection in a cellular network (figure 2), Korpela discloses a subscriber terminal measuring received power of neighbor cells in accordance with system information received from a current cell (column 8, lines 16-21). Korpela discloses selecting one of the neighboring cells as a new cell (column 8, lines 16-21). Korpela discloses receiving the for system information of the new cell by employing the length information in the system information part sent by the new cell (column 4, line 65-column 5 line 10). Korpela

discloses calculating the received signal from neighboring cell system information length and capacity (column 7, lines 52-59). Korpela discloses transfer to new cell based on the mobile based on time measurement to reselect the cell and utilizing the time in the cell reselection (column 9, lines 17-45). Korpela does not explicitly teach calculating the time used for receiving system information. Korpela discloses a system information message that includes network control information with verity of lengthy of neighboring cells, (table 2 column 7, lines 5-23) and also neighboring cells transmit system information from quiet a distance are lower quality (column 8, lines 37-59 and figure 4). This indicates that cell information transmits from distance takes longer time to process, this technique utilizes for reselecting process. Therefore, it would have been obvious to person of ordinary skill in the art at the time of the invention was made to take variety of time to receive information from the network , in order to avoid the delay on over all communication and reselection process.

As to claims 2-3,11 Korpela disclose uses information with multiframe length (table 2 of column 7, lines 5-23).

As to claims 4-9,14, Korpela disclose are repeated period system information (column 8, line1 through column 10, line 47).

As to claim 10, Korpela discloses the cellular network using GPRS and placing the system information on a BCCH (figure 1 and column 1, lines 55-column 2 line 20).

As to claim 12, Korpela disclose the TDMA system (GSM system is mainly TDMA network).

Regarding claim 13, Korpela discloses a subscriber terminal (figure 5b), Korpela discloses a subscriber terminal measuring received power of neighbor cells in accordance with system information received from a current cell (column 8, lines 16-21). Korpela discloses selecting one of the neighboring cells as a new cell (column 8, lines 16-21). Korpela discloses receiving the for system information of the new cell by employing the length information in the system information part sent by the new cell (column 4, line 65-column 5 line 10). Korpela discloses calculating the received signal from neighboring cell system information length and capacity (column 7, lines 52-59). Korpela discloses transfer to new cell based on the mobile based on time measurement to reselect the cell and utilizing the time in the cell reselection (column 9, lines 17-45). Korpela does not explicitly teach calculating the time used for receiving system information. Since Korpela discloses a system information message that includes network control information with verity of lengthy of neighboring cells, (table 2 column 7, lines 5-23) and also neighboring cells transmit system information from quiet a distance are lower quality (column 8, lines 37-59 and figure 4). This indicates that cell information transmits from distance takes longer time to process, this technique utilizes for reselecting process. Therefore, it would have been obvious to person of ordinary skill in the art at the time of the invention was made to take variety of time to receive information from the network , in order to avoid the delay on over all communication and reselection process.

Claims 14-15, which recites the implementation of method , is rejected for the same reason as set forth in the claim 1.

Response to Arguments

4. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ruohonen (6,377,803) discloses a method of controlling cell idle mode reselection measurement system and base station for communicating with at least a base station defined cell , abstract.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TILAHUN GESESSE
PATENT EXAMINER

TBG

Art Unit 2684

February 23, 2004